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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 14.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.2356 of 2018

M.Malliga

... Petitioner

Vs

1.The Secretary to Government,
Home Department,
Fort St. George,
Chennai - 600 009.

2.Additional Director General of Prisons,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to regularize the service of the petitioner as Grade II Female Warder from the date of her original appointment, in light of the orders passed by this Court in W.P.Nos.8269 & 42719/2006 dated 07.03.2008 and confirmed by a Division Bench of this Court in W.A.Nos.179 & 180/2009 dated 26.04.2010 and also confirmed by the Hon'ble Supreme Court in SLP.No.6328 & 6329 of 2011 dated 15.04.2011, together with all consequential service and monetary benefits, within a time frame.

For Petitioner : Mr.V.S.Govinda Prasad

For Respondents: Mr.K.V.Sajeev Kumar,
Government Counsel

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The prayer in the present writ petition is for a direction to the respondents to regularize the service of the petitioner as a Grade II Female Warder.

3. Though the petitioner herein had raised certain grounds to justify that she is entitled to be regularized in her



services, the learned counsel for the petitioner submitted that he would be satisfied if the first respondent is directed to consider the petitioner's representation, dated 22.08.2016, wherein she has sought for regularization of her services.

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4. This Court is of the view that since the representation was way back in the year 2016, it would be appropriate to grant liberty to the petitioner to give a fresh representation with a consequential direction to the first respondent to consider the same on its own merits.

5. In the light of the above observation, the petitioner is granted liberty to make a fresh representation to the first respondent herein ventilating her grievances and on receipt of the same, the first respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of 3 months from the date of receipt of the representation.

6. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

hvk
To

1.The Secretary to Government,
Home Department,
Fort St. George,
Chennai - 600 009.

2.Additional Director General of Prisons,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.

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srg 09/08/2021